

## Message Text

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R 262211Z JAN 76

FM AMEMBASSY LIMA  
TO SECSTATE WASHDC 8545

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EO 11652: NA

TAGS: CVIS, SREF, CI

SUBJ: CHILEAN PAROLE PROGRAM

1. FOLLOWING DISCUSSIONS WITH EMBASSY OFFICERS ABOUT THE SUBJECT PROGRAM AND PROBLEMS RELATED TO IT, DEPT. OFFICER JAMES L. CARLIN REVIEWED WITH REPRESENTATIVES OF THE UNHCR AND VOLAGS THE OVERALL CASELOAD SITUATION IN PERU, PARTICULARLY WITH A VIEW TO INTRODUCING A GREATER NUMBER OF SUITABLE CASES INTO THE PROCESSING PIPELINE.
2. AS DEPARTMENT HAS BEEN INFORMED THROUGH WEEKLY STATUS REPORTS FROM EMBASSY LIMA, THE UNHCR TO DATE HAS PRESENTED 105 CASES. OF THESE, 30 HAVE SUBSEQUENTLY BECOME INACTIVE MAINLY OWING TO DEPARTURES TO THIRD COUNTRIES AND A FEW DENIALS UNDER THE INA. AT THE PRESENT TIME THERE ARE 75 CASES IN ACTIVE PROCESSING, INCLUDING 22 WHICH HAVE BEEN COMPLETED BY EMBASSY LIMA AND REFERRED TO WASHINGTON FOR FINAL DISPOSITION, AND 3 CASES (8 WILL BE MOVED TO THE USA ON JANUARY 29. 36 OF THE REMAINING CASES ARE PENDING REVIEW BY THE INS OFFICER AND 9 OTHER ARE PENDING REVIEW AND RECONSIDERATION BY INS/CONSULAR OFFICERS.
3. A COMPLETE REVIEW BY REPRESENTATIVES OF THE UNHCR AND VOLAGS OF THE REMAINING CHILEAN REFUGEE CASELOAD IN PERU (SOME 600) HAS REVEALED THAT THERE ARE ONLY 11 ADDITIONAL CASES INVOLVING 33 PERSONS WHICH ARE INTERESTED IN IMMIGRATION TO THE USA AND WHICH APPEAR TO QUALIFY FOR THE PAROLE PROGRAM. ALL OF THE OTHERS  
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ARE EITHER UNINTERESTED IN SETTLEMENT IN THE USA, IN ACTIVE

PROCESSING FOR A THIRD COUNTRY, OR DO NOT MEET THE CRITERIA OF THE PAROLE OWING TO PREVIOUS MEMBERSHIP IN THE COMMUNIST PARTY OR MILITANCY IN THE MIR OR OTHER TERRORIST ORGANIZATIONS. THE 11 NEW CASES WILL BE PRESENTED BY UNHCR TO EMBASSY LIMA WITHIN THE NEXT FEW DAYS.

4. THUS THE ULTIMATE CASELOAD FOR EMBASSY LIMA WILL BE 86 CASES INVOLVING SOME 230 PERSONS OF WHICH IT IS ESTIMATED THAT 60 CASES COULD BE FOUND ACCEPTABLE FOR PAROLE - 40 SHORT OF EMBASSY LIMA'S TARGET OF 100 CASES.

5. HOWEVER EVEN TO ACHIEVE A TARGET OF 60 CASES THE NEED IS INDICATED FOR INS TO APPLY A MORE LIBERAL INTERPRETATION OF THE INDIVIDUAL'S REFUGEE STATUS. OF 36 CASES CURRENTLY UNDER REVIEW BY THE INS OFFICER, THE PRELIMINARY FINDINGS SUGGEST THAT ONLY 4 ARE REGARDED AS POLITICAL REFUGEES AND 32 AS ECONOMIC REFUGEES. IN THIS CONNECTION IT IS OF PARTICULAR SIGNIFICANCE TO NOTE THAT THE GOP DESIRES THAT THEY LEAVE PERU ASAP. MOREOVER, OF EQUAL SIGNIFICANCE, THE UNHCR HAS CLASSIFIED ALL OF THE 600 CHILEANS IN QUESTION AS REFUGEES UNDER THE UNHCR MANDATE. THE LOCAL UNHCR REPRESENTATIVES REPORT THAT NONE OF THESE REFUGEES IS PREPARED TO RETURN TO CHILE FOR FEAR OF PERSECUTION AND POSSIBLE DETENTION.

6. ON THE BASIS OF THE GOP AND UNHCR POSITIONS IN THIS MATTER, WE STRONGLY RECOMMEND THAT INS WASHINGTON INSTRUCT ITS OFFICERS DEALING WITH THE SUBJECT PROGRAM IN PERU TO BE MORE LIBERAL WITH RESPECT TO THE INDIVIDUAL APPLICANT'S REFUGEE STATUS. THE DEPARTMENT UNDERSTANDS OF COURSE THAT THE GOP WILL MUCH APPRECIATE THE USG'S ACCEPTANCE AT LEAST THE 60 CASES FROM HERE.

7. PROVIDING INS TAKES THIS MORE FLEXIBLE APPROACH IT SEEMS REASONABLE TO ASSUME THAT THE PROGRAM IN PERU (ACCEPTANCE AND MOVEMENT OF 60 CASES) CAN BE COMPLETED WITHIN THE NEXT THREE MONTHS.  
DEAN

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